UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

KBM WORLD WIDE INC. : Civil Action # CV - 15 - 7254

Plaintiff,

.

-against-

:

HANGOVER JOE'S HOLDING CORP.

:

AND MATTHEW VEAL

NOTICE OF MOTION

PLEASE TAKE NOTICE that Defendants, HangoverJoe's Holding Corp. and Matthew Veal, will move this Court for Summary Judgment dismissing the Complaint, on a date and time to be set by the Court, before the Honorable Judge Sandra J. Feuerstein, U.S. District Judge, U. S. District Court for the Eastern District of New York, at the Central Islip Courthouse, located at 100 Federal Plaza, Central Islip, NY 11722, to enter an order granting summary judgment on the pleadings, and dismiss with prejudice Plaintiff's Complaint. Defendants also seek reasonable costs and attorneys' fees in connection with this motion. For support, Defendants submit an accompanying Memorandum of Law in Support of Defendants' Motion on the Pleadings, and a declaration of defendant, Matthew Veal, with supporting Exhibits.

Dated: New York, New York

June 16, 2016

ELLSWORTH & YOUNG LLP.

By: /s/ Robert J. Young 11 -11 44th Rd. - Suite 303 Long Island City, NY 11101 Telephone: (718) 875-8000 Facsimile: (718) 797-5739

Email: <u>rjy24@aol.com</u> Attorneys for Defendants To: Robert P. Johnson, Esq.

NAIDICH WURMAN LLP 111 Great Neck Road, Suite 214 Great Neck, New York 11021 Tel No. (516) 498-2900 Fax No. (516) 466-3555 Email: rjohnson@nwlaw.com Attorneys for Plaintiff